

75-7-201. Court -- Exclusive jurisdiction of trusts.

(1) (a) The court has exclusive jurisdiction of proceedings initiated by interested parties concerning the internal affairs of trusts.

(b) Proceedings which may be maintained under this section are those concerning:

- (i) the administration and distribution of trusts;
- (ii) the declaration of rights; and
- (iii) the determination of other matters involving trustees and beneficiaries of trusts.

(c) These include, but are not limited to proceedings to:

- (i) appoint or remove a trustee;
- (ii) review a trustee's fees;
- (iii) review and settle interim or final accounts;
- (iv) ascertain beneficiaries;
- (v) determine any question arising in the administration or distribution of any trust, including questions of construction of trust instruments;
- (vi) instruct trustees;
- (vii) determine the existence or nonexistence of any immunity, power, privilege, duty, or right; and
- (viii) order transfer of administration of the trust to another state upon appropriate conditions as may be determined by the court or accept transfer of administration of a trust from another state to this state upon such conditions as may be imposed by the supervising court of the other state, unless the court in this state determines that these conditions are incompatible with its own rules and procedures.

(2) (a) A proceeding under this section does not result in continuing supervision by the court over the administration of the trust.

(b) The management and distribution of a trust estate, submission of accounts and reports to beneficiaries, payment of trustee's fees and other obligations of a trust, acceptance and change of trusteeship, and other aspects of the administration of a trust shall proceed expeditiously consistent with the terms of the trust, free of judicial intervention and without order, approval or other action of any court, subject to the jurisdiction of the court as invoked by interested parties or as otherwise exercised as provided by law.

Amended by Chapter 3, 2003 Special Session 2